

Debtor 1 Charles D. Shiveley; aka Charles D. Shively

Debtor 2 Denise C. Shiveley; aka Denise D. Shiveley
(Spouse, if filing)

United States Bankruptcy Court for the: Southern District of Ohio
(State)

Case number 1:16-bk-12801

Form 4100R

Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

Part 1: Mortgage Information

Name of creditor: US Bank Trust National Association
as Trustee of Cabana Series III Trust

Court claim no. (if known):
4-1

Last 4 digits of any number you use to identify the debtor's account: 5 7 7 8

Property address: 513 Denmark
Number Street

Cincinnati OH 45244
City State ZIP Code

Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ _____

Part 3: Postpetition Mortgage Payment

Check one:

- ☒ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: 09 01 2020
MM / DD / YYYY

- ☐ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ _____
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ _____
- c. **Total.** Add lines a and b. (c) \$ _____

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

MM DD YYYY

Debtor 1 Charles D. Shiveley
First Name Middle Name Last Name

Case number (if known) 1:16-bk-12801

Part 4: Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

Part 5: Sign Here

The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Molly Slutsky Simons
Signature

Date 8 / 28 / 2020

Print Molly Slutsky Simons
First Name Middle Name Last Name

Title Attorney for Creditor

Company Sottile and Barile, Attorneys at Law

If different from the notice address listed on the proof of claim to which this response applies:

Address 394 Wards Corner Road, Suite 180
Number Street

Loveland OH 45140
City State ZIP Code

Contact phone (513) 444-4100

Email bankruptcy@sottileandbarile.com

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION**

In Re:

Case No. 1:16-bk-12801

Charles D. Shiveley
aka Charles D. Shively
Denise C. Shiveley
aka Denise D. Shiveley

Chapter 13

Debtors.

Judge Beth A. Buchanan

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Response to Notice of Final Cure Payment was served **electronically** on August 28, 2020 through the Court's ECF System on all ECF participants registered in this case at the e-mail address registered with the Court

And by **ordinary U.S. Mail** on August 28, 2020 addressed to:

Charles D. Shiveley, Debtor
513 Denmark Dr.
Cincinnati, OH 45244-2209

Denise C. Shiveley, Debtor
513 Denmark Dr.
Cincinnati, OH 45244-2209

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (0083702)
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Attorney for Creditor